

HOT FIGHT BEFORE BOARD OVER PERMIT

Forces Will Line Up for Struggle Over Application of Mr. Ragland.

CITIZENS ARE INTERESTED

At its meeting last night the Board of Aldermen concurred with the Council in an amendment to the Building Code by which the First Assistant to the City Engineer may be delegated to serve on the Board of Public Safety in the absence of the Engineer. This change was suggested by Mayor McCarthy, who requested that an ordinance to that effect be introduced. With the Mayor's approval to-day or to-morrow, the meeting of the Board will be called, probably for this week, to pass on the appeal of J. F. Ragland and D. Lowenberg, whose petitions for permit to erect certain stores have been denied.

Mayor McCarthy will be urged to have a public meeting, at which citizens, as well as Mr. Ragland and Mr. Lowenberg, may be heard. In rejecting the Ragland application, Inspector Beck gave the citizens a chance to have it overruled by the Board. The whole question, however, as to whether the city can legally prevent the erection of stores in the residential section, under the ordinance creating the office of building inspector, will have to be determined by the courts. City Attorney Pollard holds that construction cannot be halted unless the character of the business to be conducted is a nuisance under the law.

Letter of Mr. Beck.

In view of the criticism that Inspector Beck deferred action on the Ragland permit until he could see the feeling of the Council, it is only fair to him to state that he delayed three days at the request of Mr. Ragland. His letter follows:

December 3, 1907.

Mr. John F. Ragland, No. 2115 Grove Avenue, City.

Dear Sir:—Upon inspection of the location, and in view of the written protest from many residents and owners of property in the neighborhood acting under the ordinance creating this office, I feel it to be my duty as Building Inspector to decline to approve the plans and specifications submitted by you for the erection of six brick stores on the corner of Fifth Street, at the northeast corner of Fifth and Grace Streets.

This decision would have been announced Saturday, November 30, 1907, within the time limit of your application, but has been held until Thursday, December 3, 1907, at your request.

Yours truly, H. B. BECK, Building Inspector.

What Mr. Connelly Says.

Mr. J. A. Connelly, of the real estate firm of Connelly & Co., who represents Mr. Ragland, issued the following additional statement last night:

"Referring to the representation in several of today's papers that I have charged Mr. H. B. Beck with having declined to issue a permit, allowing Mr. John F. Ragland to build stores at the corner of Fifth and Grace Streets, I wish to say that I have only claimed that Mr. Beck is able to substantiate that Mr. Beck admitted his intentions of issuing this permit without regard to the protest of several owners and residents in this locality, and that he was in the same, declining later, after I had secured the petition of approval from the owners of a majority of property in the block."

Mr. Beck did admit that he was influenced by Mr. Pollock, and that his refusal was contrary to the advice of the City Attorney, saying that if all of the facts were known, the Councilman in his ward approved of the permit that he would not be influenced; that he was a "law unto himself."

I feel that the newspapers are at liberty to make such deductions from his position, political or otherwise. I have advised Mr. Beck of my deductions in the presence of Mr. John F. Ragland and Mr. H. B. Beck, at which he appeared to make no offense, and I am now surprised at his apparent resentment of the statement, that he was guided by the advice of Mr. Pollock.

"I have never made the charge that Mr. Beck was 'false to his trust and oath of office, or intimidated that Mr. Beck sold himself to Mr. Pollock or to any one else.'"

Mr. Massie's Charge.

Mr. Eugene C. Massie, who appeared before Mr. Beck representing his own property at No. 412 East Grace Street, and that of several of his neighbors, last night that a misconstruction has been put on his statement in regard to the matter.

"Mr. Gilbert K. Pollock went to Mr. Beck's office at my request as a member of the Council and not as an attorney, and he so stated at the time," Mr. Massie declares. "He appeared because I told him that I had a petition against the erection of the stores, signed by nearly a hundred citizens, many of whom lived in his ward. He did not mean to interfere with me, but I meant to say that I knew nothing of any political significance in the matter, or of any improper relation between Mr. Pollock and Mr. Beck. I stand on the rights of the neighboring property owners, and will answer before the Board of Public Safety when the appeal is heard on its merits."

Mr. Connelly said last night that as the matter stands at present three of the property owners on this block out of six, representing 165 feet 9 inches out of 236 feet 2 inches, are in favor of granting the permit. Two property owners have taken no action whatever. The Valden case and the owners of the Thornton flats, leaving Dr. Taylor, the next door neighbor, as the only protestant on that block. Property owners on the other side of the street, however, have generally signed the adverse petition.

Names Withdrawn.

Mr. John L. Williams, who made a statement yesterday withdrawing his name from the petition which he had signed, now advocates the granting of the permit. Mr. Williams considers it detrimental to the city to retard its commercial growth, which has always meant the encouragement of the property, and feels that the tendency of the present legislation against the petition is to retard its growth, and that it is unreasonable to attempt to limit it.

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Xmas Presents.

For Lucky Men.

Every time Santa Claus drops in here he just loads himself up with things to give men friends.

In luxurious wear we have—

Lounging Robes,

Smoking Jackets,

Bath Robes,

Dressing Gowns,

Slippers,

Evening Dress Suits,

Tuxedo Suits,

Silk Hats,

Patent Leather Shoes,

Silk Hosiery,

Paddock Overcoats,

Rain Coats,

Fine Suits,

Fancy Vests,

Pajamas,

&c., &c.

For boys, too.

O. H. Berry & Co.

MEN'S & BOYS' CLOTHING

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BAILEY AND WREN IN LUNNON TOWN

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